

**BEFORE THE
LABOR AND INDUSTRIAL RELATIONS COMMISSION
JEFFERSON CITY, MISSOURI**

In the Matter of: Objection to Annual Wage Order No. 15
as it pertains to the Wage Rate for Glaziers in
Cape Girardeau, Missouri

On Behalf of: PAINTERS DISTRICT COUNCIL #2;
PAINTERS AND GLAZIERS LOCAL NO. 1292,

Objector.

FILED

APR - 8 2008

LABOR AND INDUSTRIAL
RELATIONS COMMISSION

OBJECTION

COMES NOW Objector and files its Objection to Annual Wage Order No. 15 and states as follows:

1. A review of the applicable collective bargaining agreement and construction practice in the locality reveals that, under Sec. 290.262, RSMo., which agreement must be considered in establishing prevailing wages, the wages for the occupational title of Glazier is incorrectly stated in the proposed Annual Wage Order No. 15, in that it does not correspond to the collectively bargained rates for Cape Girardeau County, Missouri as established by collective bargaining agreements of PAINTERS LOCAL No. 1292. The incorrect initially determined rate in Cape Girardeau County, Missouri consists of a basic hourly wage rate of is \$29.48, plus fringe benefits of \$16.13 per hour, plus an additional 13.2% of the basic rate, for a total hourly wage and benefit package of \$49.50 per hour.

2. The collectively bargained rate in this locality is the prevailing wage rate in Cape Girardeau County. This rate for the occupational title of Glazier under applicable collective bargaining agreements is currently \$19.90 per hour, with fringe benefits of \$9.08 per our, for a total

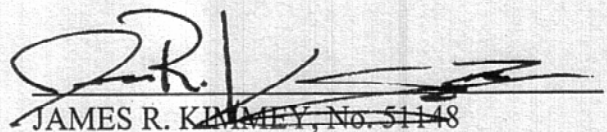
of \$28.98. *See*, Exhibit A. These rates will further be altered during the pendency of Annual Wage Order No. 15.

3. The proposed prevailing wage levels for the occupational title of Glazier is the rate as established by collective bargaining agreements, and hours actually worked, which rates apply to Cape Girardeau County and which are on file with the Missouri Division of Labor Standards.

4. These rates as described are not only the collectively bargained rates, but there are also workmen ready, willing, and able to perform work in Cape Girardeau County at such rates. Such workmen have, in fact, performed such work at such rates. Work is performed at these rates in the locality to a greater extent than is work performed at the published rate in the objected to Annual Wage Order and such work has been performed to a greater extent at all times pertinent to the Annual Wage Order at issue.

WHEREFORE, Objector respectfully requests the Commission find the collectively bargained rate, with pending changes during the term of Annual Wage Order No. 15, with PAINTERS LOCAL No. 1292, and hours submitted, as the prevailing rate of pay for the occupational title of Glazier in Cape Girardeau County, Missouri, based upon the hours of work performed within Cape Girardeau County and upon a consideration of the requirements of applicable collective bargaining agreements as required under Section 290.262, RSMo.

BARTLEY GOFFSTEIN, L.L.C.



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Attorneys for Objector

CERTIFICATE OF SERVICE

An original and two (2) copies of the foregoing was served upon the Labor and Industrial Relations Commission, 3315 West Truman Boulevard, P.O. Box 599, Jefferson City, Missouri 65102-0599, by **Certified Mail**; and a copy was served on the following individuals by placing same, postage prepaid, in the U.S. mails this 6 day of April, 2008.

Paul Buckley, Director
Division of Labor Standards
3315 West Truman Boulevard
P.O. Box 449
Jefferson City, Missouri 65102-0449

Michael Pritchett, Assistant Attorney General
Attorney General's Office
Broadway State Office Building
221 West High Street, 4th Floor
P.O. Box 899
Jefferson City, Missouri 65102-0899

A handwritten signature in black ink, appearing to read "P. Buckley", with a stylized flourish extending to the right.

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EXHIBIT A

| | September 1, 2006 | September 1, 2007 | September 1, 2008 |
|-------------|-------------------|-------------------|-------------------|
| Wage | \$19.42 | \$19.90 | TBD |
| Welfare | \$5.45 | \$5.65 | TBD |
| Pension | \$2.70 | \$3.00 | TBD |
| Apprentice | \$.36 | \$.38 | TBD |
| Promotional | \$.05 | -0- | TBD |
| LMCF | \$.05 | \$.05 | TBD |
| | \$28.03 | \$28.98 | TBD |